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25 February 1985

MEMORANDUM FOR THE RECORD

Subject: Hearing Before the Senate Judiciary Subcommittee on Juvenile Justice 19 February 1985 on Nazi War Criminal Joseph Mengele

The hearing opened at 10:12 a.m. in Room 124 Dirksen Senate Office Building with Chairman Arlen Specter presiding. The only other Member of the Subcommittee present throughout the hearing was Senator Howard Metzenbaum. (Senator Cranston came in to the hearing rather late; sat behind the witness table; and left after about ten minutes. He returned later on, this time sitting next to Senator Metzenbaum.)

Senator Specter opened the hearing by stating that the object of the hearings was to look at the role of the U.S. Army and U.S. Government in determining whether Joseph Mengele was in U.S. custody following World War II. Senator Metzenbaum then added the Subcommittee wanted to know what our government did and what it has not done regarding such Nazis, particularly Mengele, and whether officials are giving it the importance it requires. "Mengele should be brought to justice before he leaves this earth." He claimed there has been some effort to shield the facts from the people and this hearing could help us prod our own government to give it the study it should be given.

Senator Alfonse D'Amato was the first witness. He read from his prepared statement (copy attached), in which he said that he had met with CIA General Counsel Stanley Sporkin and pleased with the cooperation he had received. He said that he revealed on the David Brinkley show this past Sunday that he has information that indicates Mengele's last known location was Portugal and wants the USG to contact the Portuguese officials and ask them to search for Mengele. (Press release handed out at the hearing mentioned that the Senator requested Army, CIA, and National Security advisor Robert McFarlane to order an intensive search of post-war intelligence information...and the Senator hopes that this information will determine how Mengele escaped and open new leads that will help find Mengele.

After reading his prepared statement, Senator D'Amato said that he is awaiting release of seven documents, but that he could not mention his source since it would breach a confidence. He also mentioned the use of Volman as an alias, that there was some involvement by Mengele in the area of drug activity emanating from Paraguay and that perhaps

HCD reviewed: no objection to release as redacted

Mengele became involved for money to pay source that gave him protection. Senator D'Amato went on to say that it was because of the publicity being given this matter another man came to his attention, whom he spoke with this morning--a Richard Schwarz. He stated forcefully that there is no doubt that Mengele is alive and that a concerted effort should be made to bring him to justice. Canada should be checked out and everything should be done to isolate Mengele. When the Senator said the investigation would be meaningless unless it was brought to the attention of the public, that the investigation should be "in camera", Senator Specter asked whether it should be held "in camera" or in front of the camera (alluding to Senator D'Amato's numerous references to the need for publicity). Then Mr. Specter asked anyone who had any knowledge of Mengele to write directly to him.

Senator D'Amato continued his testimony and made additional cryptic references to information he could not release until he gets confirmation; but stated that Mengele received Christmas cards and letters in Portugal from Paraguay--his source is reliable. He mentioned a Joseph Meneke who sought entry into Canada and indeed was in Canada. Mr. Metzenbaum asked why he could not have the information, did it come from Army? Senator D'Amato again said he could not reveal his source, but (the information) would be forthcoming in three or four days--that this particular agency was using all deliberate speed to release the documents.

Senator Metzenbaum then asked Senator D'Amato why Mengele was involved in drugs (under alias Enrique Volman). Senator Specter responded it was to support his (Mengele's) ability to stay at large. Senator D'Amato said involvement in drugs was in 1972 and again 1979. In 1979 the Drug Enforcement Agency became interested in Mengele. Senator D'Amato said Army documents indicated Mengele in Canada in 1962; that Mengele had wife, children, and liked dogs. He also learned Mengele had undergone plastic surgery. He went on to say he would have more details when he obtains release of the documents. Continuing in this vein, Senator Specter asked why Senator D'Amato could not give information from the documents without saying from where and how many, at least describe them to get better insight on Mengele's movements, access to Paraguayans, fact of the drug involvement. (Senator D'Amato mentioned a Becker and Morelli but undersigned not sure of details surrounding reasons for naming them.) Senator went on to say Army first disinclined to give out any documents, now they are cooperating and Army has disclosed all but one.

The second witness was Lt. General William E. Odom, Assistant Chief of Staff for Intelligence, accompanied by Mrs. Susan J. Crawford, General Counsel, U.S. Army. General Odom read from his prepared statement and was interrupted a number of times to respond to specific items he mentioned. He described three documents denied under FOIA as being from a foreign government (The Netherlands) which gave permission for their release; one more document from (an unnamed) foreign government which Army is seeking permission to release. Following the reading of his prepared statement, General Odom answered numerous questions, many hostile. Senator D'Amato, who had remained at the witness table, said that the seven documents he is awaiting from the particular agency will available at the end of the week. (Following several interruptions by Senator D'Amato, Senator Specter said at this rate the testimony could continue tomorrow, unless Senator D'Amato allowed them to proceed.)

Senator Specter chastised General Odom several times on the laxity of Army's investigation following the discovering of the 1947 documents, (particularly one in its files from a Ben Gorby) that could have provided more knowledge into the whereabouts of Mengele and again when Ben Gorby's current address in Israel became known to Army. He asked if any effort at all had been made to talk to Gorby. General Odom responded that to the best of his knowledge Army was not investigating...(Senator Metzenbaum interrupted to ask what Army's responsibility is in this area if Justice Department does not do it. Both Senators were dismayed by General Odom's claim that Army has thousands of FOIA requests and at some point had run into the issue of allocated resources, and could not give priority attention to Mengele. A somewhat heated exchange took place. Senator Specter ended the exchange by commenting that General Odom is not a private, not a corporal, not a lieutenant, but a three-star general who doesn't need to wait for someone to tell him what to do. He should have someone on his staff find out who was the Commanding Officer at the time of Mengele's detention; he should have someone talk to Gorby.

Senator D'Amato then took issue with General Odom's comments, enlightening him on how to conduct an investigation. Senator Specter added that nothing should take priority over this investigation. Senator Metzenbaum came on to say to General Odom: "Either you are very laid back or you are passing the buck. First you told us OSI is doing something; we will do something if DOJ asks us to; we are in intelligence, it is someone else's responsibility; we will go further if my superiors tell us." He continued that he felt let down that this is the Office of Intelligence of the U.S. Army.

Senator Metzenbaum then asked if OSI has refused to send witnesses saying they owed the Subcommittee information. Senator Specter answered that he felt they should appear, and--in an unkind remark--said they should ask General Odom if he knew the whereabouts of OSI. At this point, General Odom departed the hearing room.

Senator Specter then read into the record a letter from Senator Carl Levin who had wanted to appear and who asked that the letter be read. The letter stated that Senator Levin had brought up the matter with Director Casey on January 5, 1985 when he asked if CIA knew the whereabouts of Dr. Mengele; would CIA help find him; and asked CIA put on public record what they did know about him and whether all the information was being used fully.

The next two witnesses, Messrs. Mark Berkowitz, President of "Candles", and Ernest Michel, Executive Vice President, United Jewish Appeal Federation, both described their contacts with Dr. Mengele during their incarceration at Auschwitz. Mr. Berkowitz's testimony especially was heart-rending in his description of what happened to his mother, twin sister, and himself during the 1942-1945 period.

Following their testimony, Rabbi Marvin Hier, Dean, Simon Wiesenthal Center and also a survivor of Auschwitz, provided the Subcommittee with a description of efforts by the Center to locate Joseph Mengele. At the conclusion of Rabbi Hier's testimony, questions and answers were taken, and then Senator Specter said that OSI is now empowered to look into the Mengele case--to all parts of the U.S. Government--seeking to locate Mengele. (Several persons were talking at the same time, so not sure who asked the question and who provided the response.) Question: What investigating team is going to be in charge of the search? Answer: "The CIA! Unless the President tells the DCI to push Joseph Mengele way up to the top...we) need agents in the field in places where Mengele was reported sighted, actively pursuing them (the leads)...."

Mr. Allan Ryan, formerly with DOJ's Office of Special Investigations, testified next. He did not read his complete statement, at the request of Senator Specter, but gisted the main points (since Senator Specter referred to the time). Mr. Ryan did defend the fact that OSI did not appear and said he himself had not appeared before another Committee hearing when he headed the OSI's Nazi war criminals investigation. Mr. Ryan responded to questions and said that he saw no reason why the search was the sole responsibility of the U.S. Government--it should include all of the allied governments after the war, not only the U.S. Senator Specter agreed and said that he expects to communicate with the foreign governments, especially Paraguay, following the hearings.

Senator Metzenbaum queried whether Mr. Ryan believed Mengele is still alive, did he believe he would be captured, especially if he is undercover. Mr. Ryan said he believed Mengele is alive and hopes efforts will succeed to capture him, but that he could evade discovery.

The hearing adjourned at 12:45 p.m.

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